

VZCZCXRO0431
OO RUEHCHI
DE RUEHGO #0166/01 0750722
ZNY CCCCC ZZH
O 160722Z MAR 09
FM AMEMBASSY RANGOON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 8778
INFO RUEHBK/AMEMBASSY BANGKOK 2838
RUEHCHI/AMCONSUL CHIANG MAI 2100
RUEHGV/USMISSION GENEVA 4327
RHHMUNA/CDR USPACOM HONOLULU HI
RHEHNSC/NSC WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 000166

SIPDIS

STATE FOR EAP, IO, G/TIP, AND DRL
DEPT PLEASE PASS TO DEPT OF LABOR ILAB OFFICE
PACOM FOR FPA
US MISSION TO GENEVA FOR LABOR ATTACHE

E.O. 12958: DECL: 03/16/2019
TAGS: [ELAB](#) [PGOV](#) [PREL](#) [PHUM](#) [BM](#)
SUBJECT: BURMA: COMMENTS ON DRAFT TVPRA REPORT

REF: A. STATE 3075
[1](#)B. RANGOON 46
[1](#)C. CASTRO/CARL-YODER EMAILS

Classified By: Economic Officer Samantha A. Carl-Yoder for reasons 1.4
(b and d).

Summary

[1](#)1. (C) Forced labor remains a problem in Burma, despite improved coordination between the International Labor Organization (ILO), NGOs, and the Burmese Government. In response to Ref A, Embassy Rangoon recommends that five products -- rice, rubber, sesame, physic nut, and sugar cane -- be added to the Trafficking Victims Protection Reauthorization Act (TVPRA) list. Post's recommendation is based on information provided by UN agencies and NGOs operating inside Burma, which Post believes is more reliable than anecdotal evidence from exile groups or news reports. Post has reviewed the additional information on which the Department of Labor has relied as evidence of forced labor in other sectors; we believe there is sufficient concern about the credibility of that information to warrant leaving those other products off the TVPRA list. End Summary.

Producing with Forced Labor

[1](#)2. (C) In response to Ref A, Embassy Rangoon consulted with the ILO, UNICEF, and NGOs working on trafficking in persons and child labor issues to determine which Burmese products are produced with forced labor and/or forced child labor. Post initially recommended that four products -- rice, rubber, physic nut, and sugar cane -- be added to the TVPRA list (Ref B). Based on new evidence from the ILO and UNICEF, we recommend the addition of sesame to the aforementioned list.

[1](#)3. (C) Post has been unable to confirm with sources we deem reliable that the additional suggested products listed in Ref A are produced in Burma with either forced labor or forced child labor. In our view, the information on which the Department of Labor relies for the remaining products proposed for the TVPRA list is not sufficiently credible to merit inclusion absent confirmation from other sources.

[1](#)4. (C) Evidence for the majority of additional products comes from ethnic and/or exile groups located outside the country. Several of them, including the Karen Human Rights Group, the International Confederation of Free Trade Unions, the Chin Human Rights Organization, and the Shwe Gas

Movement, refuse to cooperate with organizations working inside Burma, such as the UN and international NGOs. The Karen and Chin groups have specifically informed the ILO and UNICEF that they will not work with these international organizations because they are perceived to "work with the Burmese Government rather than against it," according to ILO Liaison Officer Steve Marshall. Marshall, who traveled to many of the same villages noted in the Karen Human Rights Group (KHRG) reports, told Post that his investigations determined that some of exile group's statements on false labor are inaccurate. Marshall received some complaints of forced labor during his trip to Karen State, but not in the product areas of teak, palm thatch, cashews, and sunflowers as cited by the KHRG.

15. (C) Post notes that the news reports on which DOL relies provide a general overview of human rights abuses with no reference to specific cases and incidents of forced labor/forced child labor or other abuses. In our view, these sources do not meet the TVPRA's evidentiary standards with regard to "methodology, degree of familiarity and expertise with international labor standards, or source-based information." Post also notes that some of the information cited by DOL across all sources is more than five years old, which raises further questions about the degree to which it reflects the current situation.

Embassy Recommendation

16. (C) It is certainly possible that forced labor occurs in some or all of the additional sectors identified by DOL.

RANGOON 00000166 002 OF 002

However, Post has been unable to verify those claims with credible, in-country sources, including UN agencies and NGOs, and has concerns about the reliability of the external sources on which DOL has relied. For that reason, Post recommends the Department of Labor modify the list of items proposed in Ref A to reflect only the following five products for which there is credible and confirmed evidence of forced labor or forced child labor: rice, rubber, sesame, physic nut, and sugar cane.

VAJDA